IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY EIGHTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 13922 of 1997

Between:

Amadalavalasa Cooperative Sugars Ltd., rep. By its

Managing Director, M.S.R.K. Sastry, Amadalavalasa,

Srikakulam District

.. PETITIONER

AND

1. The General Secretary, Sugar Industrial Workers' Union,

Amadalavalasa, Srikakulam District.

2. D.Sanyasi Rao, S/o. Raja Rao, aged about 40 years,

Seasonal Employee, Amadalavalasa Cooperative Sugars Limited,

Srikakulam District

3. The Chairman and Presiding Officer, Industrial

Tribunal-cum-Labour Court,

Visakhapatnam, Visakhapatnam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order, or direction more particularly one in the nature of Writ of certiorari quashing the award, dated 7.2.1997 passed by the Industrial Tribunal/Labour Court, Visakhapatnam in I.D.No.2/91, declaring, that the award is null and void, it is highly improper, contrary to law, violative of the fundamental rights and the principles of natural justice.

Counsel for the Petitioner: MR.D.RAMALINGA SWAMY

Counsel for the Respondent No.2: MR.V.MADHUSUDANA RAO

Counsel for the Respondent Nos.R1 & R2: G.P. for Labour

The Court made the following :

ORAL ORDER:

During the course of the arguments, the learned counsel for the petitioner has submitted that the factory in which the 2nd respondent used to work has been auctioned by the Government and the rights of the third parties have been intervened. Therefore, there is no lis to be adjudicated at this point of time as the third parties have already taken possession of the factory, in which the 2nd respondent was directed to be reinstated.

In view of the submission made by the learned counsel for the petitioner, the writ petition is dismissed. There shall be no order as to costs.

(K.C. BHANU, J.)

28th January, 2005.

bcj

To

1. The General Secretary, Sugar Industrial Workers' Union,

Amadalavalasa, Srikakulam District.

2. The Chairman and Presiding Officer, Industrial

Tribunal-cum-Labour Court,

Visakhapatnam, Visakhapatnam District.

3 Two C.Cs. to the Government Pleader for Labour, High Court Buildings, Hyderabad (OUT)

4 Two C.D. copies.